No. 86-1380 and 1424

Supreme Court, U.S.
FILED
MAR 23 1987
JOSEPH F. SPANIOL, JR.
CLERK

IN THE

Supreme Court of the United States

OCTOBER TERM, 1986

ARKANSAS PUBLIC SERVICE COMMISSION, *et al.*
Petitioners,

v.

FEDERAL ENERGY REGULATORY COMMISSION

ARKANSAS POWER & LIGHT COMPANY,
Petitioner.

v.

FEDERAL ENERGY REGULATORY COMMISSION, *et al.*

On Petitions For A Writ Of Certiorari To The United States Court Of Appeals For The District Of Columbia Circuit

---

MEMORANDUM FOR RESPONDENTS ASSOCIATED INDUSTRIES OF ARKANSAS, REYNOLDS METALS COMPANY, RICELAND FOODS AND WEYERHAEUSER COMPANY

A. RAYMOND RANDOLPH
Counsel of Record
DANIEL I. PRYWES
PEPPER, HAMILTON & SCHEETZ
1777 F Street, N.W.
Washington, D.C. 20006
(202) 842-8100

KENNETH A. BARRY
REYNOLDS METALS COMPANY
6601 West Broad Street
Richmond, VA 23230
(804) 281-2189

JAMES P. MURPHY
MICHAEL T. MISHKIN
SQUIRE, SANDERS & DEMPSEY
1201 Pennsylvania Ave., N.W.
Washington, D.C. 20004
(202) 626-6600

N. M. NORTON, JR.
GREGORY T. JONES
CHARLES L. SCHLUMBERGER
WRIGHT, LINDSEY & JENNINGS
2200 Worthern Bank Building
Little Rock, AR 72201
(501) 371-0808

PRESS OF BYRON S. ADAMS, WASHINGTON, D.C. (202) 347-8203

IN THE

Supreme Court of the United States

OCTOBER TERM, 1986

Nos. 86-1380 and 1424

ARKANSAS PUBLIC SERVICE COMMISSION, *et al.*
Petitioners,

v.

FEDERAL ENERGY REGULATORY COMMISSION

ARKANSAS POWER & LIGHT COMPANY,
Petitioner.

v.

FEDERAL ENERGY REGULATORY COMMISSION, *et al.*

On Petitions For A Writ Of Certiorari To The United States Court Of Appeals For The District Of Columbia Circuit

---

MEMORANDUM FOR RESPONDENTS ASSOCIATED INDUSTRIES OF ARKANSAS, REYNOLDS METALS COMPANY, RICELAND FOODS AND WEYERHAEUSER COMPANY

Associated Industries of Arkansas, Reynolds Metals Compa y, Riceland Foods and Weyerhaeuser Company[1],

---

[1] Associated Industries of Arkansas is a trade association whose

who are respondents here pursuant to this Court's Rule 20.6, agree with the Memorandum for the Federal Energy Regulatory Commission. The court of appeals has not yet acted upon the three timely petitions for rehearing and the time for filing a petition for a writ of certiorari therefore has not yet begun to run under this Court's Rule 20.4. Accordingly, respondents join the Commission in suggesting that the Court defer disposition of the petitions for a writ of certiorari in Nos. 86-1380 and 1424 pending final action by the court of appeals on the rehearing petitions.

Since it appears likely that one or more of the many parties below may also file a certiorari petition after the court of appeals has acted, respondents also suggest that the Court may wish to defer consideration of the certiorari petitions in Nos. 86-1380 and 1424 pending the filing of such further petitions and the Commission's consolidated response thereto.

---

members need not be listed here. To the knowledge of counsel, none of the affiliates or subsidiaries of Weyerhaeuser Company has any outstanding securities in the hands of the public. Reynolds Metals Company is the parent of the Eskimo Pie Corp., whose shares are publicly traded. Riceland Foods, Incorporated is a group of cooperative enterprises owned and controlled by some 15,000 farmer members located primarily in Arkansas.

Respectfully submitted.

A. RAYMOND RANDOLPH
Counsel of Record
DANIEL I. PRYWES
PEPPER, HAMILTON & SCHEETZ
1777 F Street, N.W.
Washington, D.C. 20006
(202) 842-8100

KENNETH A. BARRY
REYNOLDS METALS COMPANY
6601 West Broad Street
Richmond, VA 23230
(804) 281-2189

JAMES P. MURPHY
MICHAEL T. MISHKIN
SQUIRE, SANDERS & DEMPSEY
1201 Pennsylvania Ave., N.W.
Washington, D.C. 20004
(202) 626-6600

N. M. NORTON, JR.
GREGORY T. JONES
CHARLES L. SCHLUMBERGER
WRIGHT, LINDSEY & JENNINGS
2200 Worthern Bank Building
Little Rock, AR 72201
(501) 371-0808

MARCH 1987